

Applic. No. 10/816,372

Amdt. dated January 12, 2005

Reply to Office action of July 12, 2004

Remarks/Arguments:

Reconsideration of the application is requested.

Claims 1-12 remain in the application. Claims 1, 11, and 12 have been amended.

In the second paragraph on page 2 of the above-identified Office action, claim 11 has been objected to for failing to end in a period. Claim 11 has been amended to correct the omission of a period. Therefore, the objection to claim 11 by the Examiner has been overcome.

In the last paragraph on page 2 of the Office action, claims 1-7 and 10 have been rejected as being fully anticipated by Belokin et al. (U.S. Patent No. 6,571,967) (hereinafter "Belokin") under 35 U.S.C. § 102.

As will be explained below, it is believed that the claims were patentable over the cited art in their original form and the claims have, therefore, not been amended to overcome the references. However, claims 1 and 12 have been amended so as to emphasize the meaning of the frame of the insert.

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Before discussing the prior art in detail, it is believed that a brief review of the invention as claimed, would be helpful.

Claim 1 calls for, *inter alia*:

a frame enclosing at least one chamber and having a first side and an attachment device disposed at said first side.

The Belokin reference discloses a display shelf having a support panel (11) supporting a floor (12) and a containment wall (13) extending upwardly from the floor (12). The support panel is configured so that it defines an open area above the floor (12) between the containment wall (13) and the support panel (11).

The reference does not show a frame enclosing at least one chamber and having a first side and an attachment device disposed at said first side, as recited in claim 1 of the instant application. The Belokin reference discloses a display shelf having a support panel (11) supporting a floor (12) and a containment wall (13) extending upwardly from the floor (12). The display shelf is mounted to a glass wall door of a refrigerated vault. The containment wall (13) and the door or wall of the refrigerated vault define the area where products that are to be displayed are placed. The Belokin

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reference does not disclose a frame enclosing at least one chamber. This is contrary to the invention of the instant application as claimed, in which a frame encloses at least one chamber and has a first side and an attachment device disposed at said first side.

Since claim 1 is believed to be allowable over Belokin, dependent claims 2-7 and 10 are believed to be allowable over Belokin as well.

In the first paragraph item on page 3 of the Office action, claims 1, 2, 4-7, and 10 have been rejected as being fully anticipated by Belokin et al. (U.S. Patent No. 5,913,433) (hereinafter "'433") under 35 U.S.C. § 102.

The '433 reference discloses a display shelf for elongated products, the shelf including a support panel (10) which has a first face (11) lying in a vertical plane. A floor (20) is supported on the support panel (10) and has a top face (21) for holding products to be displayed. A containment wall (30) extends upwardly from the top face (21) of the floor (20). The products to be displayed are disposed between containment wall (30) and a transparent wall (40) on which the display shelf is mounted.

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The reference does not show a frame enclosing at least one chamber and having a first side and an attachment device disposed at said first side, as recited in claim 1 of the instant application. The '433 reference discloses a display shelf having a support panel (10) supporting a floor (20) and a containment wall (30) extending upwardly from the top face (21) of the floor (20). The display shelf is mounted to a transparent wall (40). The containment wall (30) and the transparent wall (40) define the area where products that are to be displayed are placed. The '433 reference does not disclose a frame enclosing at least one chamber. This is contrary to the invention of the instant application as claimed, in which a frame encloses at least one chamber and has a first side and an attachment device disposed at said first side.

In the last paragraph on page 3 of the Office action, claims 9 and 11 have been rejected as being obvious over '433 under 35 U.S.C. § 103. Since claim 1 is believed to be allowable, dependent claims 9 and 11 are believed to be allowable as well.

In the second paragraph on page 4 of the Office action, claims 9 and 11 have been rejected as being obvious over Belokin (U.S. Patent No. 6,571,967) under 35 U.S.C. § 103. Since

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claim 1 is believed to be allowable, dependent claims 9 and 11 are believed to be allowable as well.

In the last paragraph on page 4 of the Office action, claim 12 has been rejected as being obvious over Bennett (U.S. Patent No. 5,330,261) in view of '433 under 35 U.S.C. § 103.

Claim 12 calls for, *inter alia*:

an insert containing a frame enclosing at least one chamber and having a first side and an attachment device disposed at said first side.

The Bennett reference discloses a display shelf for elongated products.

The Examiner correctly stated on page 4 of the Office action that the Bennett reference discloses a door storage compartment and does not disclose an insert for a door storage body.

It is a requirement for a *prima facie* case of obviousness, that the prior art references must teach or suggest all the claim limitations.

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The references do not show or suggest an insert containing a frame enclosing at least one chamber and having a first side and an attachment device disposed at said first side, as recited in claim 12 of the instant application.

As can be seen in the above-given comments with respect to the anticipation rejection, the '433 reference does not disclose an insert containing a frame enclosing at least one chamber. This is contrary to the invention of the instant application as claimed, in which an insert containing a frame encloses at least one chamber and has a first side and an attachment device disposed at said first side.

As correctly stated by the Examiner, the Bennett reference does not disclose an insert for a door storage body. This is contrary to the invention of the instant application as claimed, in which an insert containing a frame encloses at least one chamber and has a first side and an attachment device disposed at said first side.

The references applied by the Examiner do not teach or suggest all the claim limitations. Therefore, it is believed that the Examiner has not produced a *prima facie* case of obviousness.

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In the second paragraph on page 4 of the Office action, claim 12 has been rejected as being obvious over Bennett (U.S. Patent No. 5,330,261) in view of Belokin (U.S. Patent No. 6,571,967) under 35 U.S.C. § 103.

The Examiner correctly stated on page 5 of the Office action that the Bennett reference discloses a door storage compartment and does not disclose an insert for a door storage body.

It is a requirement for a *prima facie* case of obviousness, that the prior art references must teach or suggest all the claim limitations.

The references do not show or suggest an insert containing a frame enclosing at least one chamber and having a first side and an attachment device disposed at said first side, as recited in claim 12 of the instant application.

As can be seen in the above-given comments with respect to the anticipation rejection, the Belokin reference does not disclose an insert containing a frame enclosing at least one chamber. This is contrary to the invention of the instant application as claimed, in which an insert containing a frame

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encloses at least one chamber and has a first side and an attachment device disposed at said first side.

As correctly stated by the Examiner, the Bennett reference does not disclose an insert for a door storage body. This is contrary to the invention of the instant application as claimed, in which an insert containing a frame encloses at least one chamber and has a first side and an attachment device disposed at said first side.

The references applied by the Examiner do not teach or suggest all the claim limitations. Therefore, it is believed that the Examiner has not produced a *prima facie* case of obviousness.

It is accordingly believed to be clear that none of the references, whether taken alone or in any combination, either show or suggest the features of claims 1 or 12. Claims 1 and 12 are, therefore, believed to be patentable over the art and since all of the dependent claims are ultimately dependent on claim 1, they are believed to be patentable as well.

In view of the foregoing, reconsideration and allowance of claims 1-12 are solicited.

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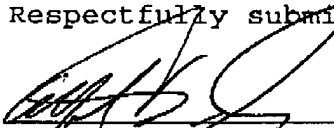
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In the event the Examiner should still find any of the claims to be unpatentable, counsel respectfully requests a telephone call so that, if possible, patentable language can be worked out.

Petition for extension is herewith made. The extension fee for response within a period of three months pursuant to Section 1.136(a) in the amount of \$1020 in accordance with Section 1.17 is enclosed herewith.

Please charge any other fees which might be due with respect to Sections 1.16 and 1.17 to the Deposit Account of Lerner & Greenberg P.A., No. 12-1099.

Respectfully submitted,



For Applicant(s)

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